

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

THE ESTATE OF LYLE ELLIOTT,)	4:06CV3202
et al.,)	
Plaintiffs,)	
vs.)	ORDER
)	
THAYER COUNTY MEMORIAL)	
HOSPITAL, et al.,)	
)	
Defendants.)	

IT IS ORDERED that Defendants' motion to dismiss Plaintiffs' original complaint (filing 5) is denied without prejudice, as moot. Defendants' motion to dismiss Plaintiffs' amended complaint (filing 10) remains pending.

September 28, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge